

## **SPECIAL MEETING OF LICENSING AND SAFETY COMMITTEE**

Thursday, 12 November, 2009 at 6.00 p.m.  
in Committee Room 3, The Council House, Dudley

### **PRESENT:-**

Councillor Ryder (Chairman)  
Councillors Mrs Ameson, Mrs Aston, Mrs Coulter, A Finch, Mottram,  
Taylor and Tyler

### **Officers**

Principal Solicitor, Licensing Officer and Mr J Jablonski (all Directorate of  
Law, Property and Human Resources)

### **Also in Attendance**

Sergeant K Jones (Halesowen) and Acting Sergeant A Gallagher  
(Stourbridge) – West Midlands Police (for Agenda Item 5)

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8                    **APOLOGIES FOR ABSENCE**

Apologies for absence from the meeting were submitted on behalf of  
Councillors Mrs Dunn, Nottingham, Vickers and Woodall.

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9                    **DECLARATIONS OF INTEREST**

No member made a declaration of interest in accordance with the  
Members' Code of Conduct.

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10                  **MINUTES**

### **RESOLVED**

That the minutes of the Meeting of the Committee held on 28 May  
2009, be approved as a correct record and signed.

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11                  **GAMBLING POLICY**

A report of the Interim Director of Law, Property and Human Resources  
was submitted on the Council's draft Gambling Policy, a copy of which  
was attached at Appendix 1 to the report submitted, which included  
changes to the Gambling Commission Guidance to Licensing Authorities  
issued in May 2009 highlighted in "bold" in that Appendix.

The draft Gambling Policy had been the subject of consultation from 1 October 2009 until 6 November 2009. In response, comments from the Beer and Pub Association had been received and were attached at Appendix 2 to the report submitted.

The Licensing Officer also reported, and circulated at the meeting, further comments received from a Roger Etchells acting on behalf of Shipley Investments Limited and Mirage Leisure Limited who operate Adult Gaming Centre premises in the Borough.

It was also noted that as the Gambling Act 2005, required the Council to prepare and publish a statement of its Gambling Policy every three years and, as the initial policy statement had been published on 3 January 2007, the current draft policy required consideration by Council on 30 November 2009, with publication of the policy on 4 January 2010.

Arising from consideration of the content of the report, Appendices 1 and 2 to the report and the further comments received, sent on behalf of Roger Etchells, it was

#### RESOLVED

That, subject to inclusion of the following amended wording to the second paragraph under the sub-heading

(iii) Premises "ready for gambling" (Page 16 of the draft Policy) to read:-

If the Applicant does not yet have a right to occupy or does not have an operators licence from the Gambling Commission then an application for a provisional statement should be made instead

arising from comments received and to no action being taken on the remaining comments received to the draft Gambling Policy,

the Cabinet be recommended to recommend Council that the draft Gambling Policy, as set out in Appendix 1 to the report submitted, be adopted for publication on 4 January 2010.

#### REVIEW OF CONSENT AND PROHIBITED STREETS FOR THE PURPOSE OF STREET TRADING

A report of the Interim Director of Law, Property and Human Resources was submitted on a review of the street trading consent and prohibited streets in the Borough. A list of all current holders of street trading consents together with maps of the locations and sale permissions was circulated to Members as a separate document and referred to as Appendix 1 to the report submitted.

Following consideration of the information contained in the report, and Appendix 1 to the report, submitted it was

RESOLVED

That, arising from the review of the street trading consent and prohibited streets in the Borough, no changes be made to the current streets in the Borough designated consent and prohibited streets for the purposes of street trading.

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AMENDMENT OF POLICY IN RELATION TO STREET AND HOUSE TO HOUSE COLLECTIONS

A report of the Interim Director of Law, Property and Human Resources was submitted on a proposed amendment to the Policy in relation to the submission of income and expenditure accounts for the previous financial year arising from consideration given to a particular case at a recent meeting of Licensing Sub-Committee 1.

RESOLVED

- (1) That the policy in relation to Street and House to House Collections be amended in respect of the submission of income and expenditure accounts to read as follows:-

All applicants for House to House or Street Collection permits shall submit their income and expenditure accounts for the previous financial year.

- (2) That the Licensing Officer be requested to send to all Members of the Committee a copy of the revised policy in relation to Street and House to House Collections.

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DRINKING BANNING ORDERS

The Licensing Officer referred to the recent introduction of Drinking Banning Orders which would be the subject of a report to a future meeting of the Committee.

The meeting ended at 6.50 p.m.

CHAIRMAN